

COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING

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JUN 13 2007

PUBLIC SERVICE
COMMISSION

In the Matter of

THE APPLICATION OF ESTILL)
COUNTY ENERGY PARTNERS, LLC,)
FOR A CERTIFICATE TO)
CONSTRUCT)
A COAL COMBUSTION/ELECTRIC)
GENERATING FACILITY)

CASE NO. 2002-00172

MOTION TO DELAY FILING OF SUPPLEMENTAL
SITE ASSESSMENT REPORT AND PAYMENT OF SUPPLEMENTAL FEE

Estill County Energy Partners, LLC (“ECEP”), the applicant in the above-captioned proceeding, by and through counsel, hereby moves the Board for an order authorizing ECEP to delay the filing of its supplemental site assessment report and payment of the supplemental application fee. In support of this motion, ECEP states as follows:

In its order of July 12, 2005, the Board noted that “[t]he Board’s initial decision requires a later filing on the property title issue and authorizes another hearing.” The Order assessed an additional application fee of \$30,000 because of the Board Staff’s estimate of probable expenses of further hearings on the ECEP supplemental site assessment report. The Order required the additional fee to be paid on or before June 15, 2007. Subsequent to the Board’s initial decision, ECEP has engaged in extended negotiations to resolve its title issues and counsel believes that resolution of those issues in the near future is probable. In addition, ECEP has been in extended discussions regarding necessary addition financing for the project. Those discussions are also near a favorable resolution.

In light of these developments, ECEP respectfully requests that the Board's July 12, 2005 Order be amended and that ECEP be given an extension of time, to September 15, 2007, to file its supplemental site assessment report and pay the supplemental application fee.

Dated this 13th day of June, 2007.

Respectfully submitted,



D. Duane Cook
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Georgetown, Kentucky 40324
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CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing was sent by United States First Class Mail, postage prepaid, on June 13, 2007, to the following:

Darrell D. Brock, Jr.
Commissioner/Assistant to Governor
Office of Local Government
1024 Capital Center Drive, Suite 340
Frankfort, KY 40601

John St. Claire
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J. R. Wilhite, Commissioner
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Judge Wallace Taylor
Estill County Judge Executive
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Lexington, KY 40507-1520

Honorable LaJuana S. Wilcher
Secretary
Environmental and Public Protection
KY Division of Energy
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Thomas J. Fitzgerald
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Will Herrick
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A handwritten signature in black ink, appearing to read "D. Duane Cook", written over a horizontal line.

D. Duane Cook